

BRIMFIELD TOWNSHIP ZONING COMMISSION

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PUBLIC MEETING

MINUTES of May 11, 2017 at 7:00 PM

Brimfield Town Hall Community Room – 1333 Tallmadge Road, Brimfield, Ohio 44240

Present: Chairman Ron Jones V.P. Gary Rodd Debbie Darlas
William Kremer Tom Sargent

Alternates: Thomas Johnson (arrival 7:15) Pat Blair

Staff Present: Dick Messner, Zoning Inspector
Wendi O’Neal, Assistant Zoning Inspector, Secretary of Board

Public Present:

Name	Company	Phone	Email
Seth Hahlen	RJs Auto Pros	330.573.4899	sethhahlen@sbcglobal.net
Cindi Moore		330.671.7064	

The Zoning Commission is called to order by **Chairman Ron Jones**, at 7:05 PM on **Thursday, May 11, 2017** at the Brimfield Township Town Hall.

Roll call:
Darlas: Here **Jones:** Here **Kremer:** Here **Rodd:** Here
Sargent: Here **Johnson:** Here **Blair:** Here

BZA Board Members Present- Bruce Knippenberg, Cheryl Rueschman

MOTION #2017-17
William Kremer makes a motion to accept the Agenda as presented and was seconded by **Gary Rodd**. Motion passes unanimously.

MOTION #2017-18
A motion is made by **Debbie Darlas** to approve the April 13, 2017 Meeting Minutes with a seconded from **Tom Sargent**. Motion passes unanimously.

OLD BUSINESS:

Dick Messner: Update

- Maple Crest Golf Course – update: orientation meeting all departments involved, positive feedback, two separate – front commercial with incentives, back industrial, nothing signed yet, handled by BZA for subdivision.
- Building year update – good year so far, Copper Creek finishing faster than expected, grants for industrial area – Green Briar Industrial Park.
- Board Questions –
 - On Maple Crest, when they do the commercial half are they going to be doing any of the infrastructure?
 - Water/sewer to boundary line, negotiations, Tallmadge Road setback – telephone poles visible setback.
 - Is Meijer’s or Menards still tentatively scheduled?
 - Yea, Store before Brimfield, Meijer’s gas station, Starbucks

NEW BUSINESS:

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- **Town Center District – Green Hills Golf Course**
 - ♦ Orientation, History – Section 308 Town Center District
 - 2004 – maintain center of town, ideas of what to see in town, library, lighting, plaza, police, fire, town hall, etc. Four corner purchase for parks to ensure town center identity, act as the hub/nucleus setting a wave effect to conform to design, satisfies three c's, wishes more done by zoning to increase the set aside money in the restricted fund, ¼ mile from center lighting district, Hometown Bank first to initiate green space with demolition, concept being piece-milled, did get medical center, plaza reface, clock-tower building, gun shop ignored traditional earth tone and brick
- **Section 308.01 Purpose = Part of Township's Legal Comprehensive Plan: A-F**
 - ♦ Discuss the desired uses, sections in chapter four and five
 - ♦ Add to conditional uses, get concept back on track
 - ♦ Packet – Section 308 Town Center District, golf course tax map
- **Board Member Comments:**
 - ♦ **Kremer** – last parcel of quality real estate in town center, fears developer to take concept to different interpretation than intended threatening the vision of the concept of town center, allowing would be mortal sin, property is: too big, too important, too big impact equaling the statement of “this is who Brimfield Township is,” funding is not going to come soon, possible large money in NE Ohio, sees nice retail, high-end attached/detached units, restaurants, versus pure production/cheap builder causing domino effect, Example using comparison of developmental ‘scars’ good/bad/ugly one is coming regardless wants the township to pick a good ‘scar,’ no toleration for minimum/average expectations.
 - ♦ **Rodd** – Biggest concern the Township not being able to afford the extra costs; can barely do it now with the current money, abatements/taxes reductions have not been very favorable for township making the services increase with money coming years later, no realization of the amount of money it costs to service township; roads, fire, police, equipment, breakage/repairs, new truck not in yet, worry how township is going to handle the additions, ODOT ideas on roads.
 - ♦ **Kremer** – Developers usually have ‘what can you do for me’ attitude, why not say what can you do for the township; new fire truck, police car, what do you have for the township.
 - ♦ **Rodd** – Pay for two extra police for big stores, Walmart costs the PD a lot; always there, always arresting people there, community is going to pay if we don't get something back.
 - ♦ **Darlas** – Thinks additions will be overwhelming for township.
 - ♦ **Rodd** – Stop giving up front to only wait for something back.
 - ♦ **Kremer** – Wants to see new fire station and town hall.
 - ♦ **Messner** – Like to see in zoning resolution somewhere ideas, or language, to ensure the concept that the Board envisions is followed. Development on parcels increase the taxable values on what is currently received. Incentive negotiating currently will benefit township with real estate money that far exceeds the current paid taxes on parcels even just the percentage in addition to JEDD monies, if all parties agree (school included)
 - ♦ **Messner** – Reviews taxes of Green Hills Golf Course: four parcels, taxes paid \$2,019.82 for 2016 collectable, 2017 appraised value, assessed value, taxed value is \$226,580. Brimfield percentage 15.4%, Schools & JVS 75%, any change will increase value therefor increasing the taxed value accordingly. Senate Bill effective March 2017 worrisome: commercial/industrial tax is value and use, most want realtors, builders, developers want tax at a value in exchange (example: big box taxed as empty building, at the foreclosure price), taxes decrease substantially, Senate Bill 535 allows filing tax exemption for six years became law.
 - ♦ **Messner** – Purpose A-F look at to protect township concept of town center.
 - Letter D – “Encourages development that extends the existing close-knit pattern of smaller lot sizes and the mix of residential, retail, office and community uses,” packages the concept, use as favorable aspect of concept, to cover four c's compatibility, connectivity, comfortability/consistency, characterized area.
 - Letter E – some of the items in place for Casamento's property (Brimfield Plaza), “Allow mixed-use structures, including but not limited to, those with retail uses on the ground floor and apartment dwellings or offices on the upper floors.”
 - Letter A – “Encourage the development of a compact, mixed use township center for the community, which unifies the community and is a viable and visible “Town Center” with a balance of building and land uses.

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- A-F Purpose signification of concept of town center and is part of comprehensive plan. Lots of good things, review, make suggestions, feedback from prosecutors, to come up with protection of the vision of the township's town center.
- ♦ **Kremer** – Instead of saying 'encourage' can we use the word must or shall?
- ♦ **Messner** – 'Shall' is mandatory legally, 'will' is recommended and 'may' is could.
- ♦ **Sargent** – Trying to understand the big red barn building, can't do much about it now. What wording needs to be in place to prevent the big red barn? Moving forward would want people to cooperate, many voluntarily cooperated and probably now feel 'Wow, that's great! We committed to this and then they just do that.' What wording can prevent that from happening in the future?
- ♦ **Messner** – Explanation:
 - #1 what happened: started in 2004 with an architectural review committee; three major landowners: David Schipper, John Epling, and Mike Casamento; not in place.
 - Changes in law- Shalersville put together commercial district with architectural review, not allowed residentially but good for commercial/industrial, Rootstown redoing their process. Regional Planning creating one for county staple for townships to put in place, specify architectural review committee with power to ensure compliance in accordance of the c's.
- ♦ **Jones** – Didn't think township could restrict color of paint on person's buildings; no power to control it.
- ♦ **Messner** – Can control, but new law for architectural review is going to give limited powers to ensure compatible with each other to maintain the economic values.
- ♦ **Darlas** – Does that include townships or just cities?
- ♦ **Messner** – It's limited. The three major landowners had largest monetary investment, 75% control of land in town center, they will push and pay legal avenues to protect investment. Believes that if the nucleus (four corners, lighting) was developed there wouldn't be a red building.
- ♦ **Sargent** – Is there a place for, in equity, if the property owners invest, like the three major owners, that they would have a value/interest in the criteria for everything that is built within the limits to protect their investment?
- ♦ **Messner** – School, medical building followed. Makes sense they would because of valuable land. Following a theme will maintain and increase the economic value of investment making it more likely that others will follow suit: earth tones, brick and mortar, concrete blocks in back.
- ♦ **Jones** – Unless you have a person that doesn't care.
- ♦ **Knippenberg** – Depends on what is considered 'earth tones.'
- ♦ **Sargent** – With that, is there a way for some of the property owners that have conformed to be a part of the review board? Causing more conformity with a power standing.
- ♦ **Messner** – Sure. Architectural review board: architecture recommended (residing in Brimfield), acts as advisory committee to both zoning boards. Will be modeling ours like the regional planning issued model for county. Cities different: Kent, advisory capacity can set policy for planning commission and rest of city to follow; more power.
- ♦ **Messner** – Asking the Board to consider verbiage in district to look at, make changes without starting from scratch, as the nucleus (town center concept) seems to be in purpose, just needs more defined intentions making it more strength-full.
- ♦ **Kremer** – Can it be included that any proposal for town center be approved at discretion of Board of Zoning Appeals?
- ♦ **Messner** – Yes, can be added. If subdivision (all) goes to BZA. Possibly add verbiage in town center program any plans for any development of any sort over 20 acres will be reviewed by Portage County Subdivision Regulations and the BZA for conditional use; setting standards by neighborhood consistent with town center concept. This could eliminate some concerns that have already presented themselves.
- ♦ **Kremer** – Don't have to limit it to 20 acres. Could be less.
- ♦ **Messner** – 20 acres, county standard for subdivision. Other added verbiage could be for any subdivision of any size or any acreage must be a mixed district, including the uses already listed.
- ♦ **Board** – Agreed with that idea.
- ♦ **Jones** – Was reviewing T-C District, found nothing to stop the things we know we don't want to see; wanting it to be more in-line with the board's vision of the town center of the community. Needs to be more protective and strict to align with the goals/conceptual-view of town center.
- ♦ **Kremer** – Must be mixed-use is great idea; along with required to be approved by BZA.

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- ♦ **Board** – Absolutely agreed.
- ♦ **Knippenberg** – Is entire golf course in town center district?
- ♦ **Messner** – Yes, T-C ends at the western part of the golf course.
- ♦ **Blair** – One point made by 2016 Citizens Committee was a mixed-use downtown; a collaboration of rental properties, housing and retail stores.
- ♦ **Messner** – Correct, was area that was both on a strength, weakness and a threat; the Citizens Committee backed the town center concept.
- ♦ **Jones** – Do we need to rewrite it or just E as the mixed-use?
- ♦ **Messner** – Review, digest, month to review. Next month: discussion points, think about it. Review Section 308 Uses if lower density is desired reduce the residential use, review commercial uses permitted vs. conditional uses, note: if not listed in book considered prohibited in which BZA gives ruling.
- ♦ **Knippenberg** – Residential areas: gather ideal number of dwelling units per acre or land area. Make choice to restrict apartments or none, if want 3-story apartments or limit to duplexes or use for units per acre. Review to list all as conditionally permitted which could eliminate the possibility of economic building. If more restricted one unit per acre, the total of available units lowers significantly; making it no longer the best use of the land. If encourage multi-use and an option to put apartments upstairs conditionally permitted would control it.
- ♦ **Messner** – What Bruce stated was exactly what was planned for the land behind us; Casamento's land was supposed to have a mall effect from the plaza coming in two-story building with offices or small stores on the bottom and rental apartments up on top. The senior living was supposed to resemble row-houses mirroring the old Quaker type housing in say, Baltimore.
- ♦ **Blair** – Mentions another large parcel of land of 168 acres just down the street.
- ♦ **Messner** – Tallmadge Road, past the Shaffer farm; was proposed condo development. One of the biggest things that is going to bother when retired, is the failure to complete things in the town center. A lot of good has happened, but that is going to bug the hell out of me.
- ♦ **Jones** – discusses the newest section of Tallmadge Circle; lanterns.
- ♦ **Messner** – Casamento put in the residential version down Kelso Drive to medical building, mirroring proposed lighting on 43/Tallmadge corridor. 14-inch tapered lantern, 50-foot intervals from narrowing of 43 (south) to caution lights (north, then from near Ranfield Road (east) to Steakhouse (west).
- ♦ **Rueschman** – Brimfield resident for 30 years, doesn't like the negativity heard or 'Brim-tucky' image. Wants to make sure Boards leaves that word in the past and solidifies Brimfield's image and a better one for outsiders.
- ♦ **Messner** – 90% faded. Greater Akron Chamber- Brimfield highly ranked for residential and recognized for shopping, some industrial and subdivisions.
- ♦ **Jones** – If the Boards do the town center correctly, and encourage the mixed-use it could get the Schipper Group to start moving (developing) their property.
- ♦ **Messner** – Speedway has proposed a tractor-trailer fueling station at the ole McDonald site with only-semis fueling stations in back, passenger gas in front, no overnight lodging (firmly).
- ♦ **Jones** – Worries about the number of semis coming/going at caution light with the school traffic, years ago speedway wanted to put in truck(semi) stop.
- ♦ **Rodd** – Questions and fears the layout that could possibly encourage trucks overnight stays. Only islands and no parking would eliminate the possibility for overnight stays. Careful on review. Worries about the future property owner next to new fueling station would not like the constant truck idling. Strictly islands and move!
- ♦ **Sargent** – wonders why they have planned that and what they plan to put next to it.
- ♦ **Rodd** – stresses the idling/sitting of semis for the future neighboring business as Wendy's fills up and so does Walmart.
- ♦ **Messner** – Speedway is adding a back door and it is only islands.
- ♦ **Rodd** – requests to review the propose Speedway addition. And wonders if Schipper Group is looking past this addition for other future development. Great if fueling and leaving.
- ♦ **Sargent** – Historical districts, held to strict guidelines. Is it possibly to create a historical district? How do we say that? Is it possible?
- ♦ **Messner** – Yeah, if the buildings have certain pieces you could. Examples, CRA, the community reinvestment area, established for Hiess Printing which had to be expanded to

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the Brimfield Station, had to throw that site in for the grants that helped get Hiess Printing here.

- ♦ **Jones** – Now have six known historical buildings in the town center district.
- ♦ **Sargent** – Was thinking more on the historical districts as the reasoning help with restrictions on the built products/looks.
- ♦ **Messner** – Concentrate on purpose A-F, giving some things to BZA also. Review permitted/conditional uses in residential and commercial sections, last thing to change is area requirements. Reviews the aerial views of Township Section 32 and Section 33. Property is split by JEDD with Tallmadge and Kent. Their agreement was to split their share portion only from Schipper Group property and the Golf Course. Idea of extending Karg Industrial Parkway looping using the 7th, 8th, and 9th hole as part for industrial growth with large buffers. Idea for 5th tee to be donated to Township for cemetery expansion.
- ♦ **Johnson** – wanted to know the zoning for cemeteries.
- ♦ **O’Neal** – It’s a use; legal non-conforming for the town center district.
- ♦ **Messner** – The township could always get grant money to buy and run the golf course until such time to build the fire station and town hall.
- ♦ **Jones** – Please review and come back next month with comments, ideas, suggestions, concerns, goals, etc.

PUBLIC COMMENTS: NONE

GOOD OF THE ORDER:

The Board briefly discussed the following:

- Marijuana growing, and dispensaries
- Transit lodging – renting owner occupied houses
- Unkempt lawns – regulations
- Old Forge Road property recently for sale, bought by Ebie to farm; no mining allowed in district.

SET NEXT MEETING:

Thursday, June 8, 2017 at 7:00 PM is the next set regular scheduled meeting at the Brimfield Township Town Hall.

MOTION #2017-19

A motion was made by **Tom Sargent** to adjourn the **May 11, 2017** at 8:50 PM, seconded by **Debbie Darlas**. Motion passes unanimously.

Chairman Ron Jones

Vice Chair Gary Rodd

Debbie Darlas

William Kremer

Tom Sargent

Secretary Wendi O’Neal

Alternate Thomas Johnson

Alternate Patrick Blair